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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,830	12/08/2003	Che-Chih Chang	SUND 490	9295

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EXAMINER

CARIASO, ALAN B

ART UNIT PAPER NUMBER

2875

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/728,830	CHANG ET AL.	
	Examiner	Art Unit	
	Alan Cariaso	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Receipt of applicant's amendment filed September 20, 2005 is acknowledged. Claims 1 and 3-13 are pending. Claims 1, 3, 6 and 7 are amended. Claims 10-13 are newly submitted.

Claim Objections

2. Claim 11 is objected to because of the following informalities: Claim 11, line 3, the phrase "to the at least of the outer frame" appears to be grammatically incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3-5, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by EIRAKU et al (US 6,902,285 B2).
5. In regards to claims 1, 5, 10 and 11, EIRAKU discloses a backlight module (fig.1) comprising: an outer frame (housing 11); an upper frame (cover 3 or 9) disposed within and being removably coupled with the outer frame (11) and having a receiving space

(fig.1); a bottom frame (backlight frame 6 or lower half of housing 11) removably coupled to at least one of the upper frame (3 or 9) and the outer frame (upper half of housing 11) for enclosing the receiving space; a reflector (8) disposed in the receiving space and on the bottom frame (6); and at least a light source (4) disposed in the receiving space and above the reflector (8); given the connected parts of the backlight module and their inherent ability to be assembled and disassembled, the backlight module is considered capable of being inverted, the bottom frame (6 or lower half 11) of being separable from the upper frame (3 or 9), the reflector can be removed and the light source can be exchanged after the bottom frame (6 or lower half 11) and the reflector (8) are removed; wherein the light source (4) is a cold cathode fluorescent lamp (col.3, lines 8-9); wherein the upper frame (3 or 9) has lateral sides (fig.1) extending down to substantially reach the bottom frame (6); wherein the outer frame (11) has another receiving space for receiving the upper frame (3 or 9) and the bottom frame (6) is removably coupled to at least the upper frame (3 or 9) for enclosing the another receiving space (that of display element 1), or bottom frame (lower half 11) coupled to outer frame (upper half 11) for enclosing the another receiving space surrounding the upper frame (3).

6. In regards to claims 3 and 4, EIRAKU further discloses a light guide plate (5) disposed in the receiving space and above the reflector (8) for guiding the light reflected by the reflector (8); at least a lamp holder (vertical walls of 6-fig.1 or 6A- fig.4B) which is disposed in the receiving space and is adjacent to the light guide plate (5) for housing the light source; a multilayer optical film (optical sheets 7) disposed above the light

guide plate (5) within the upper frame (3 or 9), wherein the multilayer optical film (7) generally filters the light guided by the light guide plate (5); and a display panel (1) disposed on the upper frame (9) and the multilayer optical film (7) within the outer frame (11), wherein the display panel (1) receives the light filtered through the multilayer optical film (7); wherein the display panel (1) is a liquid crystal display panel (col.3, lines 3-4).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over EIRAKU et al (US 6,902,285 B2) and HAYASHIMOTO et al (US 6,870,582).

9. EIRAKU discloses the provided claimed structure except the steps of inverting the backlight module and separating the bottom frame from the outer frame or upper frame, removing the reflector after removing the bottom frame and exchanging the light source after removing the bottom frame and the reflector sequentially.

10. HAYASHIMOTO shows an illustration (fig.4) of inverting the backlight module and separating the bottom frame (14 or 20) as shown of accessible fasteners (18) removed and visible access to hooks (30) in that inverted position, and an illustration

(fig.5) of a further breakdown of separated and spaced of at least outer frame (12), upper frame (36), bottom frame reflector (43) and light source (42), for the purpose disassembling of the backlight module which is known to be done for investigative repair and/or exchange of defective parts for new or working parts, including the light source. The step of removing the bottom frame and reflector sequentially before exchanging the light source is considered to be obvious, since it is well known in the art to access the light source either through the top and bottom of the assembly, that removal from the bottom would require removing parts in the order in which they are discovered, namely, the bottom frame, reflector and light source. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the backlight module of EIRAKU et al to include inversion of the module and separated parts as illustrated by HAYASHIMOTO et al and to removing parts sequentially in the order they are discovered as in the bottom frames (14 & 20, fig.4), then reflector (43) and exchange the light source (42), since it was well known in the art to exchange spent light source(s) by carefully removing parts in the order they are discovered in order to gain free access to the light source and replace the spent light source with a working light source while not damaging all the parts of the device.

Response to Arguments

11. Applicant's arguments with respect to the rejection(s) of claim(s) 1-5 under HAYASHIMOTO et al have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of EIRAKU et al (US 6,902,285).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

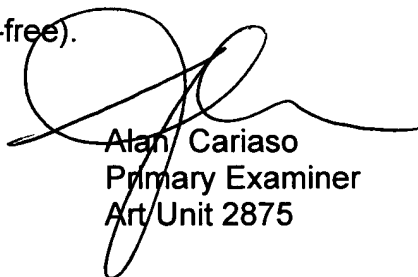
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Cariaso
Primary Examiner
Art Unit 2875

November 27, 2005
AC